## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:11-CV-75-D

MORTGAGE PAYMENT PROTECTION, INC.,	)	
Plaintiff,	)	
v.	)	ORDER
GENWORTH MORTGAGE INSURANCE CORPORATION,	)	
Defendant.	) )	

On November 11, 2011, plaintiff moved for summary judgment on count two of its amended complaint [D.E 56]. On December 16, 2011, defendant moved to defer ruling on the motion until discovery was complete [D.E. 63]. On February 22, 2012, the court GRANTED defendant's motion [D.E. 80].

The parties are engaged in settlement negotiations. In light of the settlement negotiations, the court DENIES without prejudice the plaintiff's motion for summary judgment on count two [D.E. 56]. If the parties are unable to settle the case and discovery resumes, plaintiff may renew its motion for summary judgment concerning count two at the close of discovery.

SO ORDERED. This 4 day of September 2012.

JAMES C. DEVER III

Chief United States District Judge